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FEB 25 2008

Federal Communications Commission
Office of the Secretary

February 25, 2008

BY HAND

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

**Re: Application of American Network, Inc. for Certification as a Video Relay
Service and IP Relay Service Provider**

Dear Ms. Dortch:

Enclosed for filing with the Federal Communications Commission in accord with Section 64.605 of the rules of the Commission is an original and four copies of the Application of American Network, Inc. for Certification as a Video Relay Service and IP Relay Service Provider. Please contact the undersigned with any questions or need for additional information.

Respectfully submitted,



Russell H. Fox

Enclosure

cc: Thomas Chandler
Kent Charugundla

No. of Copies rec'd 0 + 4
List ABCDE

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

BOSTON | WASHINGTON | NEW YORK | STAMFORD | LOS ANGELES | PALO ALTO | SAN DIEGO | LONDON

ORIGINAL

Before the
Federal Communications Commission
Washington, DC 20554

FILED/ACCEPTED

FEB 25 2008

Federal Communications Commission
Office of the Secretary

In the matter of)
)
Telecommunications Relay Services and)
Speech-to-Speech Services for)
Individuals with Hearing and Speech)
Disabilities)
)
Application of American Network, Inc.)
for Certification as a Video Relay Service)
and IP Relay Service Provider)

CG Docket No. 03-123

To: Chief, Consumer and Governmental Affairs Bureau

**APPLICATION OF AMERICAN NETWORK, INC. FOR CERTIFICATION AS A
VIDEO RELAY SERVICE AND IP RELAY SERVICE PROVIDER**

American Network, Inc. ("American Network"), by its counsel, hereby submits its application to the Federal Communications Commission ("FCC" or "Commission") for certification that the company is eligible to receive reimbursement from the Interstate Telecommunications Relay Service ("TRS") Fund as a provider of Video Relay Service ("VRS") and Internet-Protocol ("IP") Relay Service.^{1/} American Network is an experienced telecommunications services provider with considerable familiarity offering communications services using the Internet. American Network has both the capability and the resources to provide high quality VRS and IP Relay Services that can benefit thousands of persons with speech or hearing impairments. As described below, American Network meets all of the

^{1/} See 47 C.F.R. § 64.605; *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Report and Order and Order on Reconsideration, 20 FCC Rcd. 20577 (2005).

standards required for certification as a VRS and IP Relay Service provider and asks that the Commission grant the requested certification.

I. Background

American Network, founded in 1991, is a privately held corporation with significant experience providing telecommunications services using both the public switched telephone network (“PSTN”) and the Internet. Through its affiliates EagleACD and Eagle Teleconferencing, American Network has established itself as a leading provider of IP hosted call center services and teleconferencing services. As a group, the American Network companies provide Internet access bandwidth, hosted automatic call distribution services, and hosted PBX services via both dedicated IP connections and hosted network address translation (“NAT”). Use of NAT technology allows American Network to connect with consumers who have no capability to resolve their own domain name system (“DNS”) address, allowing American Network to provide a broad range of services with ease of use for consumers. This is especially important for video use, because with NAT a consumer need not have a dedicated IP address. Using session initiation protocol (“SIP”) on American Network’s system, hearing impaired and speech impaired individuals can simply connect with “plug and play” ease, without having to program their unit. American Network’s advanced technological capabilities make it ideally positioned to offer a wide range of services to speech or hearing impaired consumers with an emphasis on customer service and ease of use.

American Network seeks to offer a wide range of services, from simple IP Relay to assisted browsing, wherein another party can ask a deaf user to log into a specific web page while a communications assistant (“CA”) assists the deaf user by showing them items on the web page or opening new web sites as needed. Because of American Network’s focus on technology

and customer ease of use, which will be deployed to enable new services for hearing impaired and speech impaired individuals, and the company's experience in applying cutting edge technology to the provision of communications services, certification of American Network to provide VRS and IP Relay Services is both in the public interest and consistent with the Commission's rules. In addition, grant of this application can be expected to enhance competition in the provision of VRS and IP Relay Services, providing consumers with greater choice and potentially stimulating development of new and improved services.

Section 64.605(a)(2) of the FCC's rules states that any entity desiring to provide VRS or IP Relay services, independent from a certified state TRS program or a TRS provider otherwise eligible for compensation from the Interstate TRS Fund, and desiring to receive compensation from the Interstate TRS Fund, shall submit documentation to the FCC describing in narrative form eight (8) matters designed to demonstrate its fitness as a VRS and IP Relay Service provider. American Network hereby provides that information below.

II. Narrative Required by Section 64.605(a)(2).

A. A description of the forms of TRS to be provided.

American Network will provide all non-waived forms of VRS and IP Relay Services.^{2/}

B. A description of how the provider will meet all non-waived mandatory minimum standards applicable to each form of TRS offered.

American Network initially intends to provide VRS and IP Relay Services through a contractor with significant experience in provision of VRS and IP Relay Services. Later, American Network may supplement or replace the contractor with services provided by

^{2/} See *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, Order, 22 FCC Rcd. 21869 (2007) (extending through January 1, 2009, waiver of any requirement that VRS and IP Relay Service providers offer certain types of TRS, including Voice Carry Over ("VCO") and Hearing Carry Over ("HCO") services).

American Network staff. Whether the services are provided under contract or directly by American Network employees, the same high service standards will be maintained and American Network will ensure compliance with the non-waived operational, technical, and functional standards of Section 64.604 of the FCC's rules. A brief description of those standards is provided below.

1. Operational Standards

(a) Communications Assistants -- 64.604(a)(1)

The FCC's rules specify the qualifications and required behavior of Communications Assistants ("CAs"). American Network believes that the competency of its CAs will be paramount to the provision of excellent VRS and IP Relay Services to persons with hearing and speech impairments. The company is committed to establishing rigorous proficiency standards for CAs that meet or exceed the minimums established in FCC rules. Well skilled and well trained sign language interpreters are critical to the provision of VRS and American Network will employ an intensive screening process to select only well-qualified interpreters and provide ongoing training to ensure interpreters' skills are kept well honed.

American Network will ensure that all CAs are knowledgeable about service requirements for confidentiality, staying with calls, and other TRS requirements expressed in Section 64.604(a)(1) of the regulations. Initial training and regular updates on TRS rules will be provided. American Network will use its best efforts to accommodate users' requests for specific CA gender both at call initiation and at transfer, if necessary. To the extent not specifically stated here, American Network will meet all of the other obligations of Section 64.604(a)(1) of the rules.

(b) Confidentiality and Conversation Content -- 64.604(a)(2)

The rules specify CA obligations to protect confidentiality of the content of calls. American Network will ensure through training and supervision that its contracted provider and, potentially, its own personnel will adhere to these obligations.

(c) Types of Calls -- 64.604(a)(3)

This section of the regulations specifies the types of calls that TRS providers must handle. Consistent with those obligations, American Network will not refuse calls or limit the length of calls. All calls, including long distance calls will be completed without charge to the consumer. While American Network does not initially expect to handle the types of calls that have been waived by the FCC, the company hereby commits to make reasonable efforts to address the technological issues that prompted the waivers and will handle those types of calls when those waivers expire or seek a further waiver of the obligation to handle those calls.

Voice Mail and Interactive Menus -- American Network CAs will immediately inform VRS and IP Relay Services users of the presence of any recorded messages and relay information conveyed by the recording. Similarly, CAs will inform callers of any interactive menus that may be encountered in placing a call and assist callers in working through the menu to route their call to the preferred location or retrieve the information they want. CAs will also assist VRS and IP Relay Services users in leaving voice messages on voice mail systems.

(d) Handling of Emergency Calls -- 64.604(a)(4)

The Commission has waived for VRS and IP Relay Services the requirement under this section of the rules for immediate routing of emergency calls (along with the caller's telephone number) to the appropriate public safety answering point ("PSAP"). American Network is committed to implement emergency calling services for its VRS and IP Relay Services when it

becomes technically feasible to do so. American Network will include a notice on its website and in promotional materials explaining the limitations of VRS and IP Relay Services for placing emergency calls.

(e) STS Called Numbers -- 64.504(a)(5)

The Commission has waived for VRS and IP Relay Services the requirement under this provision of the regulations that CAs maintain a list of names and telephone numbers speech-to-speech (“STS”) users call. At such time as it may become possible for this waiver to be lifted, American Network expects to comply with any established requirement.

2. Technical Standards

(a) ASCII and Baudot -- 64.604(b)(1)

The ASCII and Baudot communication requirement contained in this rule is waived for VRS. American Network’s IP Relay Service will be capable of communicating with ASCII and Baudot format at any speed generally in use.

(b) Speed of Answer -- 64.604(b)(2)

American Network will ensure that it, or any contractor it employs, will meet or exceed the speed of answer requirements of this section of the regulations for VRS calls. The company will establish an automated monitoring system to continually measure speed of answer, with regular reports to system management. Sufficient work stations will be made available and sufficient CAs will be scheduled at all times to ensure callers are not faced with lengthy waits for service.

(c) Equal Access to Interexchange Carriers -- 64.604(b)(3)

The requirements of this provision of the regulations have been waived for VRS and IP Relay Service providers provided that they provide free long distance service to end users.

American Network will provide such free long distance and is therefore not obligated to comply with this regulation.

(d) TRS Facilities -- Continuous Operations -- 64.604(b)(4)

As contemplated by this rule, American Network will maintain continuous operation of its VRS and IP Relay Services, accepting calls twenty-four hours a day, seven days a week. System redundancy features and uninterruptible power supply provisioning will ensure that technical problems will not impede the availability of services.

(e) Technology -- 64.604(b)(5)

The requirement, as provided in this rule, that TRS providers using SS7 technology comply with Calling Party Telephone Number rules is not applicable to VRS and IP Relay Services, because such services are not currently capable of using SS7 technology.

(f) Caller ID -- 64.604(b)(6)

As contemplated by this rule, to the extent that current or future technology permits, American Network commits to comply with the requirement to transmit caller ID information to the public network.

3. Functional Standards

(a) Complaint Log -- 64.604(c)(1)

As required by this section of the regulations, American Network will maintain a continuous log of any consumer complaints received, with information on the date of the complaint, description of the complaint, the resolution, and the date resolved. Separate logs will be kept for VRS and IP Relay Services. As required, a report of the number of complaints received will be provided to the FCC each July first.

(b) Contact Person -- 64.604(c)(2)

This rule requires designation of a contact person to coordinate with the Commission on TRS matters. The designated TRS contact for American Network is:

Eldina Djukanovic
American Network, Inc.
142 East 39th Street
New York, NY 10016
Voice: 212-200-2016
Fax: 212-758-3453
edjukanovic@eagle.net

(c) Public Access to Information and Consumer Outreach -- 64.604(c)(3)

American Network will take steps to ensure that potential users are made aware, as required by this rule, of the availability of American Network VRS and IP Relay Services through a website, advertising, consumer trade show presentations, meetings with user communities, distribution of informational materials, direct mailing to consumers, online communication, and other promotional methods.

(d) Rates -- 64.604(c)(4)

American Network commits that, in compliance with this provision of the rules, users of its VRS and IP Relay Services will not be charged for services at rates greater than would be paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance between the point of origination and the point of termination. At the current time, American Network does not intend to assess any charge to users of its VRS and IP Relay Services, even for calls that are long distance.

(e) Jurisdictional Separation of Costs -- 64.604(c)(5)

Because of technical difficulty in identifying the interstate or intrastate jurisdiction of VRS and IP Relay Services calls, both of the services are currently reimbursed from the

Interstate TRS Fund. At such time as the FCC may determine that it is possible to jurisdictionally separate costs for VRS and IP Relay Services, American Network will comply with cost separation instructions contained in this provision of the regulations and otherwise established by the Commission.

(f) Complaints -- 64.604(c)(6)

American Network's user complaint procedures are described below and the company has committed above to maintain a complaint log and to submit a summary to the Commission each July 1st. American Network understands that complaints about its VRS and IP Relay Services may also be filed directly with the FCC, and the company commits to cooperate fully in any investigation or other procedure the Commission may undertake to resolve complaints it may receive about American Network services.

(g) Confidential Treatment of TRS Customer Information -- 64.604(c)(7)

American Network commits that, consistent with this provision of the rules, all customer information about users of its VRS and IP Relay Services will be treated confidentially and will not be sold, distributed, shared, or revealed in any way by American Network or any of its employees, unless compelled to do so by lawful order.

4. Other Requirements

(a) Notification of Substantive Changes -- 64.605(f)

American Network commits to provide notice to the FCC of substantive changes to American Network's VRS and IP Relay Services within 60 days of when any such changes occur. American Network will, at the time any such notification is made, also certify that the company's VRS and IP Relay Services continue to meet minimum federal standards after implementing the substantive change.

(b) Annual Reports -- 64.605(g)

American Network commits to provide the FCC with annual compliance reports on its VRS and IP Relay Services, transmitting such information as the Commission may require for such reports.

(c) Other

American Network commits to meet or exceed any and all other standards for VRS and IP Relay Services that have been or will be established by the FCC.

C. A description of the provider's procedures for ensuring compliance with all applicable TRS rules.

When selecting a contractor to provide services, American Network will choose a contractor with a history of providing VRS and IP Relay Services that meets or exceeds minimum standards and has a track record of continuous compliance with VRS and IP Relay Service rules. The agreement for provision of VRS and IP Relay Services will include a requirement that the contractor comply with relevant FCC service rules at all times and ensure that contractor personnel are well trained as to regulatory requirements. In addition, American Network will designate a member of its management as a "compliance officer" to review the operations of the contractor and provide regular oversight to ensure all regulatory requirements are met by the contractor at all times.

As American Network supplements, and perhaps ultimately replaces, contractor services with its own staff, the compliance officer will remain charged with ensuring FCC regulations are followed at all times. Comprehensive training of all personnel involved with the VRS and IP Relay Service operations will be provided. Regular training updates and refresher training will be provided to ensure that all persons involved in offering services – particularly

Communications Assistants – have a thorough, up-to-date understanding of the rules governing the offering of VRS and IP Relay Services.

D. A description of the provider’s complaint procedures.

American Network will provide for consumer complaints through an online form to be made available on the Internet web portal for the VRS and IP Relay Services the company will offer. CAs will be trained to direct consumer complaints to the web-based complaint portal or to the compliance officer or a designee. The compliance officer or designee will regularly monitor the web-based complaint facility to ensure complaints are responded to promptly. Complaints beyond the ability of the compliance officer or designee to resolve will be escalated to a higher level officer at the company. Complainants will also be informed, as part of the response to any complaint, that they may contact a designated higher level company official or the FCC if they are dissatisfied with the response.

In American Network’s experience, many matters and questions – particularly technical questions – that might otherwise result in a consumer complaint can be resolved by provision of timely information. Accordingly, American Network will provide a variety of on-line support resources, including a comprehensive “frequently asked questions” page, to provide consumers with immediate resolution to many questions or problems.

E. A narrative describing any areas in which the provider’s service will differ from the applicable mandatory minimum standards.

American Network VRS and IP Relay Services will not differ in any way from the mandatory minimum standards established by the Commission.

F. A narrative establishing the services that differ from the mandatory minimum standards do not violate applicable mandatory minimum standards.

Because American Network VRS and IP Relay Services will not differ from the mandatory minimum standards established by the Commission, no narrative is required in this section.

G. Demonstration of status as a common carrier.

Attached is a copy of the “certificate of public convenience and necessity to operate as a facilities based common carrier” issued to American Network, Inc. by the New York Public Service Commission. Also attached is a copy of a page from an online directory of the New York Public Service Commission listing American Network, Inc. as an active telecommunications company in the State of New York.^{3/}

H. A statement that the provider will file annual compliance reports demonstrating continued compliance with these rules.

American Network hereby commits to providing required annual compliance reports to the FCC and to promptly and fully comply with any other requests by the Commission for data or information about the operation of American Network’s VRS and IP Relay Service operation.

^{3/} New York State Public Service Commission, Office of Telecommunications, All Active Telecommunications Companies in New York State,
<http://www3.dps.state.ny.us/T/Telco.nsf/ActiveWeb?OpenView&StartKey=A&Count=53>

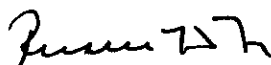
III. Conclusion

As demonstrated above, American Network meets all of the regulatory requirements for certification to receive reimbursement from the Interstate TRS Fund for provision of VRS and IP Relay Services. American Network therefore respectfully requests the Commission's expeditious grant of such certification.

Kent Charugundla
President
American Network, Inc.
142 East 39th Street
New York, NY 10016
212-200-2001
ksc@eagle.net

February 25, 2008

Respectfully Submitted,



Russell H. Fox
Ernest C. Cooper
Mintz, Levin, Cohn, Ferris, Glovsky
and Popeo, P.C.
701 Pennsylvania Avenue NW, Suite 900
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202-434-7300
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Attachment A

**AMERICAN NETWORK CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO OPERATE AS A TELECOMMUNICATIONS CARRIER IN THE
STATE OF NEW YORK**

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE

THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

Internet Address: <http://www.dps.state.ny.us>

PUBLIC SERVICE COMMISSION

JOHN F. O'MARA
Chairman
THOMAS DUNLEAVY
MAUREEN O. RULMER



LAWRENCE G. MALONE
General Counsel

JOHN C. GRARY
Secretary

October 31, 1997

American National Bank

Mr. Kent Charugundla, President
60 East 56th Street
New York, NY 10022

Dear Mr. Charugundla:

Re: Case No. 97-C-1375

This is to advise that your request for an amendment to your certificate of public convenience and necessity to operate as a facilities-based common carrier of telephone services, including local exchange services (local-dial-tone) within New York State has been approved. This authority does not allow provision of emergency operator services.

Before providing telephone services in New York State you must file with the Secretary to the Commission and have an approved tariff of rates and terms and conditions of service. The tariff must be submitted within 60 days and may not become effective on less than 30 days notice to the Commission.

Under the Commission's Competition II Order, local exchange carriers are required to provide monthly service quality information to Department staff (see enclosure). In addition, facilities-based local exchange carriers are required to provide certain construction budget information annually as specified each December by the Director of the Communications Division.

Mr. Kena Charugundla, President
Page 2
October 31, 1997

This certification is based upon the accuracy of information provided in your application and is subject to various Commission rules and regulations governing your operation as a facilities-based common carrier. This certification may be revoked if your application is found to have contained false or misleading information, for your failure to file and/or maintain current tariffs, or for violation of other Commission rules and regulations.

By direction and delegation
of the Commission,

Allan H. Bausback

Allan H. Bausback
Acting Director
Communications Division

Attachment B


**EXCERPT FROM THE ONLINE DIRECTORY OF THE NEW YORK PUBLIC
SERVICE COMMISSION LISTING AMERICAN NETWORK, INC. AS AN ACTIVE
TELECOMMUNICATIONS COMPANY IN THE STATE OF NEW YORK**

NEW YORK STATE

Public Service Commission

Office of Telecommunications

[Active Companies](#) | [Inactive Companies](#) | [All Companies](#) | [Out of Business Companies](#) | [Frequently Asked Questions](#)

Company Name 

Search Results

Your search found 1 titles.

Company	Status	DBA	Street Address	
American Network, Inc.	Active	NA	142 E 39TH ST NEW YORK, NY 10016	(800) 339-7171

Disclaimer: All attempts are made to maintain accurate records of company information, including addresses; however, it is the responsibility of each company to submit a new [TCOI form](#) whenever changes occur in company information so that updates to these web pages can be processed in a timely manner.



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